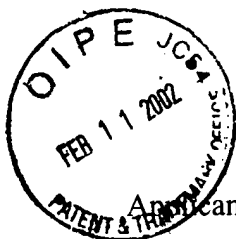


COPY OF PAPERS
ORIGINALLY FILED

3761A
PATENT
2326/29



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Douglas MONGEON
Serial No. : 09/589,499
Filed : June 7, 2000
For : ARTIFICIAL AIRWAY DEVICE AND METHOD OF ITS USE
Examiner : Dawson
Art Unit : 3761

Assistant Commissioner for Patents
Washington D.C. 20231

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

Date: January 9, 2002

Reg. No. 42,674

Signature:

Thomas C. Hughes

**AMENDMENT TRANSMITTAL LETTER AND
REQUEST FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)**

Sir:

Transmitted herewith is an Amendment for entry in the above-identified application:


1. The filing fee has been calculated after entry of the accompanying Amendment as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE (\$)	FEE (\$)
TOTAL CLAIMS	19	minus	20	0	18.00	0.00
INDEPENDENT CLAIMS	2	minus	3	0	84.00	0.00
MULTIPLE DEPENDENT CLAIM ADDED					280.00	0.00
				TOTAL		0.00
				SMALL ENTITY TOTAL		

2. No additional fees are believed due.
3. Applicant respectfully requests a two-month extension of time in which to respond to the Office Action dated August 9, 2001 for which a response period expiring on November 9, 2001 was set. The extended period expires on January 9, 2002. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **\$400.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
 - A. Any additional filing fees required under 37 C.F.R. § 1.16;
 - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
 - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
 - D. Any additional document supply fees under 37 C.F.R. § 1.19;
 - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
 - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.
5. A copy of this letter is enclosed.

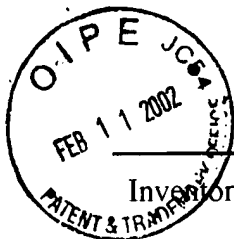
Respectfully submitted,

KENYON & KENYON


Thomas C. Hughes
Reg. No. 42,674

Date: Jan. 4, 2002

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New York, NY 10004
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2326/29

#5/A

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22

Inventors: **Douglas MONGEON**

Serial No.: **09/589,499**

Filed: **June 7, 2000**

For: **ARTIFICIAL AIRWAY DEVICE AND
METHOD OF ITS USE**

Examiner: **Dawson**

Art Unit: **3761**

Address to:
Assistant Commissioner for Patents
Washington D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

Date Jan. 9, 2002 Atty's Reg. # 42,674

Atty's Signature

[Signature]
KENYON & KENYON

AMENDMENT

In response to the Office Action mailed August 9, 2001, Applicant respectfully requests reconsideration in view of the amendments and remarks below. Enclosed herewith is a Petition for a Two Month Extension of Time for extending the time of response for this Office Action to January 9, 2002. The appropriate extension fee is to be charged to Kenyon & Kenyon's U.S. Patent & Trademark Office Deposit Account No. 11-0600. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made."

In the Claims:

Please amend the claims to read as follows:

✓
Cancel claim 1 without prejudice.

2. An artificial airway device comprising:

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